



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **PM-1**

December 2, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**LONG BEACH COURTHOUSE STRUCTURAL RETROFIT
APPROVE PROJECT AND BUDGET ADJUSTMENT
AWARD SUPPLEMENTAL AGREEMENT
SPECS. 5485; C.P. 86497
SUPERVISORIAL DISTRICT 4
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT
YOUR BOARD:**

1. Approve the Long Beach Courthouse Structural Retrofit project (C.P. 86497) in the amount of \$13,940,000 funded by the Criminal Justice Facilities Temporary Construction Fund.
2. Approve the enclosed budget adjustment to: a) increase current year appropriation by \$613,000; b) allocate \$12,937,000 from the Criminal Justice Facilities Temporary Construction Fund to fund the renamed Long Beach Courthouse Structural Retrofit project from the Long Beach Courthouse Courtroom and Improvements project; c) reallocate \$12,324,000 to the Fourth District Capital Project Net County Cost due to the revised scope of the proposed project; and d) reimburse \$1,003,000 to the Fourth District Capital Project Net County Cost for prior year expenditures incurred on the retrofit project.

3. Find that the Long Beach Courthouse Structural Retrofit project is categorically exempt under the California Environmental Quality Act, as specified in Appendix G, Class 1, Subsection (d) of the County of Los Angeles Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and authorize the Interim Director of Public Works to deliver the project.
4. Award and authorize the Interim Director of Public Works to execute Supplemental Agreement 5 to Contract PW 12468 with GKK Corporation to provide additional design services for the structural retrofit of the Long Beach Courthouse for the not to exceed fee of \$462,050.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended actions will approve the seismic retrofit project which includes accessibility for disabled persons to the sixth floor of the building and authorizes Public Works to execute Supplemental Agreement 5 to GKK Corporation which is required to prepare construction documents.

On August 21, 2001, your Board approved a \$14,000,000 renovation project for the Long Beach Courthouse. The project provided four replacement courtrooms for improved operations while maximizing use of space within the courthouse that required the relocation of two tenant departments off the site.

On December 4, 2001, your Board approved a design services agreement with GKK Corporation to prepare a detailed program and define the final project scope of the renovation, including a review of existing building systems, accessibility, life safety, seismic, and code criteria governing the proposed improvements.

During the programming phase, EQE, a structural engineering consulting firm, reviewed the lateral design capacity of the existing structural system. Their analysis concluded that the building's ability to withstand earthquake forces is deficient and should be improved. Public Works, the Chief Administrative Office, Superior Court, and our consultants developed options to provide the best seismic retrofit solution with the least cost addressing all identified and prioritized concerns. Options considered and evaluated include:

- Construction of a new courthouse with an approximate cost of \$120,000,000;
- Renovating the building to the current structural code costing in excess of \$80,000,000;

- Vacating the building and relocating operations to other locations; and
- Creating four courtrooms outside the existing building providing swing space needed for the seismic retrofit to proceed, with an estimated cost of \$24,000,000.

The first three options were eliminated due to the County's tier priorities for courthouses, the pending transfer of court facilities to the State, the legislated transfer of the Courthouse Construction Fund to the State, and the current restrained financial resources. On June 6, 2002, the Director of Public Works issued a memo indicating the building should be structurally retrofitted in order to continue occupying the facility. The CAO and Superior Court concurred that the fourth option was most viable and cost effective.

On May 20, 2003, the CAO and Superior Court approved proceeding with the design of four courtrooms in a new annex directly adjacent to the existing facility retaining all tenant departments on-site and followed by a seismic retrofit of the existing courthouse. The completed schematic design included a one-story annex connected to the existing building with an estimated cost of \$9,300,000, including a shuttle elevator from the fifth to sixth floor providing accessibility for disabled persons to the sixth floor, which is where the jury assembly room is located. The seismic retrofit portion of the work was estimated at \$10,000,000 for a total project cost of \$19,300,000.

In February 2004, the State's Administrative Office of the Court issued draft structural findings for the County's courthouses concurring that the Long Beach Courthouse is seismically deficient. The AOC also issued a draft master plan for courthouse construction throughout the State. The master plan indicates the Long Beach facility should be replaced within the first ten years of the plan development. Based on the AOC master plan, construction of the annex remains unknown at this time. On December 3, 2003, the CAO and Superior Court concluded the seismic retrofit should proceed to design development while the proposed annex was placed on hold.

Design development documents for the seismic retrofit project are now complete. It is recommended that your Board approve the seismic retrofit project and supplemental agreement to proceed with construction documents. Upon approval, GKK will be instructed to proceed with construction plans and specifications for the seismic retrofit and disabled access to the sixth floor, as well as other accessibility improvements to the interior and exterior of the facility.

The Superior Court will make available two courtrooms in other facilities within the district for a period of two years during the seismic retrofit of the building.

Implementation of Strategic Plan Goals

This project will meet the County's Strategic Plan Goals of Service Excellence and Fiscal Responsibility by providing the necessary structural upgrades throughout the courthouse building and effectively managing the resources we have to invest in public infrastructure.

FISCAL IMPACT/FINANCING

On August 21, 2001, your Board approved the \$14,000,000 Long Beach Courthouse Improvement project, Capital Project 86497, funded by \$10,000,000 in Fourth District Capital Project net County Cost and a \$4,000,000 allocation from the Courthouse Construction Fund. Actual expenditures to date incurred on the Courthouse Improvements Project total \$1,675,950 with \$672,660 for the annex and \$1,003,290 for the retrofit design.

The estimated project budget for the structural retrofit totals \$13,940,000, including construction, change orders, equipment, consultant, and County services. The construction cost is estimated at \$10,357,000, including construction cost of \$8,831,000, change order contingency of \$1,236,000, and security costs of \$290,000. The Project Schedule and Budget Summary are included in Enclosure A.

The enclosed budget adjustment (Enclosure B) will increase Fiscal Year 2004-05 appropriation, realign the funding sources, and account for actual expenditures incurred to date for the retrofit and annex projects. The adjustment will increase the project appropriation by \$613,000 to account for actual expenditures of \$1,003,290 incurred on the retrofit project to date. The revenue alignment will allocate \$12,936,710 from the Criminal Justice Facilities Temporary Construction Fund to pay for the structural retrofit project and allow for the transfer of \$12,324,000 back to the Fourth District Capital Project (C.P. 77046).

In order to reimburse prior year expenditures of \$1,141,000 incurred on the original Board-approved Long Beach Courthouse project, \$138,000 will be transferred to the Courthouse Construction Fund from the Criminal Justice Facilities Temporary Construction Fund and \$1,003,000 will be transferred to the Fourth District Capital Project (C.P. 77046) from the Criminal Justice Facilities Temporary Construction Fund. Prior year expenditures in the amount of \$672,660 related to the annex project has

been funded from the original \$10,000,000 allocated from the Fourth District Capital Project (C.P. 77046) Net County Cost.

Upon approval by your Board of the enclosed appropriation adjustment, sufficient funds will be available in the Fiscal Year 2004-05 Capital Projects Budget, Long Beach Courthouse Structural Retrofit project, C.P. 86497, to fund the proposed project.

The proposed project will be funded entirely by the Criminal Justice Facilities Courthouse Construction Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard supplemental agreement, in the form previously approved by County Counsel, will be used. The existing consultant services agreement with GKK includes the standard Board-directed clauses that provide for termination of services, renegotiation, hiring qualified displaced County employees, GAIN/GROW, Contractor Employee Jury Service Program, Safely Surrendered Baby Law, and Child Support Compliance Program.

ENVIRONMENTAL DOCUMENTATION

The project is categorically exempt as specified in Appendix G, Class 1, Subsection (d), of the Revised Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, which allows for the alteration of existing public facilities involving negligible or no expansion of use beyond that previously existing at the facility.

CONTRACTING PROCESS

Your Board awarded the design services contract for the renovation project to GKK on December 4, 2001, in the amount of \$1,137,865 as Contract PW 12468. Under this contract, the program and schematic design documents for the renovation project were completed in the amount of \$247,875.

The program for the seismic retrofit was completed under Supplemental Agreement 1 in the amount of \$73,960. Funds were reallocated from the existing contract for the schematic design, design development, and construction documents phases for the seismic retrofit in the amount of \$715,065 under Supplemental Agreement 2. Supplemental Agreement 3 reallocated \$50,000 to provide for additional materials testing services. Supplemental Agreement 4 reallocated \$84,121 to provide additional

design development work. GKK has agreed to provide the remaining design services for a total not to exceed fee of \$462,050. The total design services fee proposed for the seismic retrofit project is \$1,426,000. The construction administration portion of the fee will be billed during the construction phase and only after your Board's authorization to proceed with construction. The negotiated fee has been reviewed by Public Works and the CAO and is considered reasonable for the proposed scope of work.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to this construction contract, as this contract is for non-Proposition A services.

GKK's Community Business Enterprises participation data and three-year contracting history with the County are on file with Public Works.

Following completion of construction documents and jurisdictional approvals, we plan to return to your Board to adopt plans and specifications and advertise for bids to construct the project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended supplemental agreement will provide additional design and construction administration services for the seismic retrofit and accessibility improvements for disabled persons to the courthouse. The Court will transfer operational services for two courtrooms to other facilities in the district during the structural retrofit to ensure that disruption to Court operations is minimized.

The Honorable Board of Supervisors
December 2, 2004
Page 7

CONCLUSION

Please return one adopted copy of this letter to the CAO (Capital Projects Division) and Public Works.

Respectfully submitted,

DONALD L. WOLFE
Interim Director of Public Works

DAVID E. JANSSEN
Chief Administrative Officer

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cc: Auditor-Controller
County Counsel
Department of Public Social Services (GAIN/GROW Program)
Office of Affirmative Action Compliance

December 2, 2004

ENCLOSURE A

**LONG BEACH COURTHOUSE STRUCTURAL RETROFIT
APPROVE PROJECT AND BUDGET ADJUSTMENT
AWARD SUPPLEMENTAL AGREEMENT**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date
Design Construction Documents Jurisdictional Approval	05/23/05 06/28/05
Adopt and Advertise Bid Opening Award Construction Contract	08/31/05 10/11/05 11/15/05
Construction Start Construction Substantial Completion	01/04/06 01/03/08
Project Acceptance	06/02/08

II. PROJECT BUDGET SUMMARY

Budget Category	Proposed Project Budget
Construction	
ADA Construction	\$ 1,622,000
Construction	<u>\$ 7,209,000</u>
Subtotal	\$ 8,831,000
Construction Security	\$ 290,000
Change Orders	<u>\$ 1,236,000</u>
Subtotal	\$10,357,000
Plans and Specifications	\$ 1,426,000
Consultant Services	\$ 730,000
Miscellaneous Expenditures	\$ 39,000
Jurisdictional Review and Plan Check	\$ 20,000
County Services	\$ 1,368,000
Total Project Budget	\$13,940,000

December 2, 2004

ENCLOSURE B

**LONG BEACH COURTHOUSE STRUCTURAL RETROFIT
APPROVE PROJECT AND BUDGET ADJUSTMENT
AWARD SUPPLEMENTAL AGREEMENT**

**BUDGET ADJUSTMENT
FISCAL YEAR 2004-05**

3 VOTES

FINANCIAL SOURCES

Capital Projects/Refurbishments
Trial Courts Project
Rfurb- Long Beach Structural/Retrofit
Crim Just Fac Temp Cnst Fd/CP
A01 – CP – 86497 – R402
\$12,937,000 Increase Revenue

FINANCIAL USES

Capital Projects/Refurbishments
Trial Courts Project
Rfurb-Long Beach Structural/Retrofit
Building and Improvements
A01 – CP – 86497 – 6014
\$613,000 Increase Appropriation

Capital Projects/Refurbishments
Various Facilities
Various 4th District Improvements
A01 – CP – 77046 – 6014
\$12,324,000 Increase Appropriation

JUSTIFICATION:

The budget adjustment is necessary to establish the Long Beach Courthouse Structural Retrofit project previously identified as the Long Beach Courtrooms/Improvements project and realign appropriate funding sources between the Criminal Justice Facilities Temporary Construction Fund and the Courthouse Construction Fund.

**LONG BEACH COURTHOUSE STRUCTURAL RETROFIT
APPROVE PROJECT AND BUDGET ADJUSTMENT
AWARD SUPPLEMENTAL AGREEMENT**

**BUDGET ADJUSTMENT
FISCAL YEAR 2004-05**

3 VOTES

FINANCIAL SOURCES

Criminal Justice Facilities Temporary
Construction Fund
Services and Supplies
B09 – AO – 40020 – 2000
\$1,141,000 Decrease Appropriation

Capital Projects/Refurbishments
Various Facilities
Various 4th District Improvements
Criminal Just. Fac. Temp. Const. Fund/CP
A01 – CP – 77046 – R402
\$1,003,000 Increase Revenue

FINANCIAL USES

Criminal Justice Facilities Temporary
Construction Fund
Other Charges
B09 – AO – 40020 – 5500
\$1,141,000 Increase Appropriation

Capital Projects/Refurbishments
Various Facilities
Various 4th District Improvements
Building and Improvements
A01 – CP – 77046 – 6014
\$1,003,000 Increase Appropriation

JUSTIFICATION:

The budget adjustment is required to account for the reimbursement of prior year expenditures funded by the Courthouse Construction Fund and the Fourth District Capital Project net County cost; and identify an increase in appropriation for the Long Beach Courthouse – Structural Retrofit project.